

**Village of Croton on Hudson
Minutes of the Planning Board
February 10, 2015**

Present: Rob Luntz, Chairman
Bruce Kauderer
Janet Mainiero
Steve Krisky
Rocco Mastronardi

Also present: Daniel O'Connor, Village Engineer

1. Call to order

Chairman Luntz called the meeting to order at 8:08 p.m.

2. PUBLIC HEARING

a) Lunden, Susan—118 Truesdale Drive (Sec. 79.10 Blk. 1 Lot 3)--Application for Minor Site Plan Approval, Tree Removal, Wetlands Permit, and Excavation and Fill permits for construction of new single-family dwelling.

PRESENT: Susan Lunden (owner), Megan Davis, assistant

PUBLIC HEARING OPENED: Public Hearing opened on a motion by Mr. Krisky, seconded by Ms. Mainiero, and carried, all in favor, by a vote of 5-0.

DISCUSSION:

Ms. Lunden distributed a rendering of the house that showed the chosen color of the house (black/green). The house will have a metal roof (undetermined color at this point).

Chairman Luntz stated that the Water Control Commission is to meet next week on February 17, 2015, and then will send the Planning Board its recommendation. The applicant will return to the Planning Board on February 24th. The Planning Board members spoke favorably about the proposed house.

Mr. Ron Sanchez, 114 Truesdale, stated that he is the neighbor to the south of 118 Truesdale. He noted that he thinks the house has a beautiful design and he has no problems with the proposed location. He stated he has one small concern -- the proposed footings of the new house are only 7 ft from his property line and very close to a rock formation (two boulders) that he is very concerned will be damaged during the construction.

Chairman Luntz noted that this was a problem that should not be overlooked but could be overcome by asking for a written sequence of construction from the applicant's engineer as a direction to the contractor. A written sequencing of construction to the contractor would state that the boulders are to be protected and not to be disturbed. The Village Engineer noted that the foundation was not a full foundation and should come down easily without a lot of force, thereby minimizing disturbance to the boulders.

DECISION: Chairman Luntz stated that the public hearing would remain open until the next Planning Board meeting so that the Water Control Commission could meet and provide their comments to the Planning Board.

3. OLD BUSINESS

a) Ranjan, Cain—25 Warren Road (Sec.67.10 Blk. 001 Lot 14.01)—Application for Minor site plan approval, Tree Removal and Excavation and Fill permits for a new single-family dwelling.

PRESENT: Mr. Michael Mastrogiacono, P.E. , Mr. Cain Ranjan, applicant

DISCUSSION:

Mr. Mastrogiacono explained some of the technical aspects of the proposed plans-- additional infiltrators, dry wells at the bottom of the property, and that the septic system has been reviewed by the County Health Department and is at a point where it will be approved.

At a previous meeting, there had been a question about the maintenance of the upper common driveway that is in need of repairs. Mr. Ranjan confirmed that there is an ingress and egress easement and the neighbors are to share in the maintenance. He stated that he hadn't spoken with the neighbors yet, but the driveway is dilapidated, and he would make sure that after construction, the small part of the driveway would be fixed.

On page C-400, the plan shows that the floor of the neighbor's house is level with the peak of the new house. Mr. Mastrogiacono stated that the neighbor's view should be preserved.

The Village Engineer stated that the zoning is compliant, and he had added the requirement that revised plans be sent in with details of the trench drain and driveway curbing.

Mr. Krisky asked if a landscape plan had been submitted. Mr. Mastrogiacono stated that he had tried to preserve as many trees as possible. The County Health department requires a number of trees to be taken down to accommodate the drainage and septic system. The 48" beech tree is no longer standing. The Village Engineer suggested that saving the bottom three trees could be included in the resolution.

Chairman Luntz agreed with Mr. Krisky that the applicant should submit a landscaping plan that the Planning Board can review prior to a Certificate of Occupancy issued.

There were no further comments.

DECISION:

The following conditions are to be included in the draft resolution:

1. That, a landscape plan showing replacement trees for the 34 trees proposed to be removed, be submitted for the Planning Board's review and approval prior to the issuance of a Certificate of Occupancy.
2. That, the three trees near the lower stormwater management system be saved if possible.

Mr. Mastronardi made a motion to accept the resolution, as amended, seconded by Mr. Krisky, and voted all in favor by a vote of 5-0.

b) Mussa, Rey—Quick Stop Convenience Store—205 South Riverside Avenue (Sec. 78.12 Blk. 3 Lot 6)—Final approval for sign application

PRESENT: Steve Chester, Signs, Ink, LLC

DISCUSSION:

Mr. Chester stated that the owner, Rey Mussa, was in California and therefore unable to attend tonight's meeting. However, Mr. Chester spoke with Mr. Mussa about his preferences for signage and Mr. Mussa's strong preference is the initial sign that had been submitted to the Planning Board and the Advisory Board of Visual Environment. The letters are carved in the sign, the edge of the sign will be light beige, and the trim will be beveled. The burgundy color of the sign will match the trim of the building.

Chairman Luntz stated that he had no issues with the sign as presented. The Planning Board members agreed and had no further comments.

DECISION:

Mr. Kauderer made a motion to grant final approval for the sign as presented, Ms. Mainiero seconded the motion, and the vote carried all in favor by a vote of 5-0.

c) JFJW Cortlandt LLC—57 Old Post Road North (Sec. 67.20 Blk. 2 Lot 27)—Request for extension of Minor Site Plan application

PRESENT: Mr. and Mrs. William Francy submitted a letter requesting an extension.

DISCUSSION:

Mr. Krisky explained to the new members of the board (Mr. Mastronardi and Ms. Mainiero) who were not involved in the decision of this minor site plan that this was an application in which the neighbors were opposed to construction, but eventually a minor site plan was granted with many conditions.

The Board agreed that Mrs. Francy's request for an extension of the minor site plan was premature since there are still many months available before January 2016 for the land to be sold and the building of a house to begin; the house did not have to be completed by January 2016. It was understood that once house construction began, the house would be completed within the time frame of the building permit. If this was not possible, an extension for a building permit extension could be requested.

Chairman Luntz explained to the neighbors, Mr. Ira Lipton (55 OPRN) and Ms. Jan Regis (63 OPRN) who were present at the meeting and voiced their concerns about a structure that might not conform to what was decided upon in the minor site plan resolution, that the minor site plan approval for a new house is a conceptual plan for approval. In keeping with the approved minor site plan approval on January 22, 2013, if plans submitted were substantially different, the Village Engineer would refer it back to the Planning Board to review.

Mr. Lipton requested that he be notified when the building plans are submitted; the Planning Board responded that he and Ms. Regis are welcome to call the Engineering Office to inquire about the status of the building permit. Mr. Kauderer stated that it is not the policy or procedure of the village to inform neighbors when a building permit is submitted, and it would be considered special treatment to do so for Mr. Lipton. The building plans are subject to FOIL, and when available are open to the public to review.

When Ms. Regis asked if this was the Board's decision, Mr. Krisky stated that the Planning Board is not acting on the minor site plan request for an extension, and in fact, no decision on the request has been made. Mr. Krisky stated that the Planning Board is clarifying the request for extension and a letter will be sent to the applicant explaining that the request is premature.

DECISION:

The Planning Board agreed that the letter was premature and that the Board does not have to act on this request at this time. The Village Engineer will send a letter to the applicant explaining the Board's decision.

4. APPROVAL OF MINUTES

Mr. Kauderer made a motion to approve the minutes of January 13, 2015, seconded by Ms. Mainiero, and carried, all in favor, by a vote of 5 to 0.

5. ADJOURNMENT

There being no further business to come before the board, the meeting was duly adjourned at 9:25 p.m.

Respectfully submitted,

Ronnie L. Rose
Secretary to the Planning Board